

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|----------------|
| Applicant:  | Hark C. Chan  | Examiner:       | Nano, Sargon N |
| Serial No.: | <b>09/836,397</b>   | Group Art Unit: | 2157           |
| Filed:      | 4/17/2001   | Docket No.:     | LOCREM-01      |
| Title:      | <b>A DATA DELIVERY SYSTEM USING LOCAL AND REMOTE COMMUNICATIONS</b> |                 |                |

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**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response to the Notification of Non-Compliant Appeal Brief mailed August 4, 2009.

The current application has never been assigned to Time Warner. According to the "Patent Assignment Abstract of Title", the "Conveyance" field is "COVENANT NOT TO SUE" and NOT an assignment. Consequently, the real party in interest is the applicant. Thus the filed Appeal Brief is in compliant with MPEP.

The commissioner is hereby authorized to charge any other fees which may be required, to deposit account 03-1243 (docket number LOCREM-01).

August 6, 2009

Respectfully Submitted



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Hark C. Chan